

3. Chubb files this Notice of Removal within the thirty-day time period required by 28 U.S.C. § 1446(b). Accordingly, removal of this action is timely.

II.
DIVERSITY OF CITIZENSHIP

4. Removal is proper under 28 U.S.C. § 1332(a) because there is currently complete diversity of citizenship, and complete diversity existed on the date the state court case was filed.

5. Plaintiff PRSM II, L.L.C. is a Texas limited Liability Company with its principal place of business in Texas. PRSM's managing member is Robert J. Davis, who is a resident of and domiciled in Texas.

6. Hulen Pointe Retail, L.L.C. is a Texas limited liability company with its principal place of business in Texas. Hulen Pointe Retail's managing members are Boaz Avnery and Alto Real Estate Funds. Avnery is a resident of and domiciled in Texas. Alto is a series of closed-end funds and maintains its principal place of business in New York, New York. Upon information and belief, Alto is made up of entities incorporated under the laws of Delaware and/or New York.

7. Tri Marsh Retail, L.L.C. is a Texas limited liability company with its principal place of business in Texas. Tri Marsh Retail's managing member is Boaz Avnery. Avnery is a resident of and domiciled in Texas.

8. Defendant Chubb Custom Insurance Company is a New Jersey insurance company with its principal place of business in New Jersey.

9. Upon information and belief, and after a reasonable attempt to identify all of Plaintiffs' members, Chubb is diverse from all Plaintiffs.

III.
VENUE IS PROPER

10. Venue is proper in the United States District Court for the Northern District of Texas, Dallas Division, under 28 U.S.C. §§ 124(a) and 1446(a), since it is the district and division within which such action is pending in state court.

IV.
AMOUNT IN CONTROVERSY

11. Plaintiffs are seeking “monetary relief over \$100,000 but not more than \$200,000, and nonmonetary relief.” Therefore, the amount in controversy exceeds the \$75,000.00 threshold required to invoke this Court’s jurisdiction. 28 U.S.C. § 1332(a).

V.
REMOVAL IS PROCEDURALLY CORRECT

12. Pursuant to 28 U.S.C. § 1446(a) and Local Rule 81, attached hereto is:

Index of State Court Pleadings		
Exhibit	Description	Date Filed in State Court
A	Docket Sheet from State Court	N/A
B	Civil Case Information Sheet	9/11/2017
C	Original Petition	9/11/2017
D	Notice of Dismissal Hearing	9/14/2017
E	Request for Service	10/4/2017
F	Blank Citation	10/6/2017
G	Original Answer	11/3/2017
H	Return of Service	11/7/2017

13. Pursuant to Local Rule 81, Chubb is simultaneously filing a completed civil coversheet and a supplemental civil coversheet.

14. Pursuant to 28 U.S.C. § 1446(d), promptly after Chubb files this Notice of Removal, written notice of the filing will be given to Plaintiffs.

15. Pursuant to 28 U.S.C. § 1446(d), promptly after Chubb files this Notice of

Removal, a true and correct copy will be filed with the County Clerk of Dallas County.

VI.
RELIEF REQUESTED

16. Because the amount in controversy exceeds \$75,000.00, and because complete diversity of citizenship exists as to Plaintiffs and Chubb, this Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332 and the action is properly removed pursuant to 28 U.S.C. § 1441.

17. Defendant Chubb Custom Insurance Company respectfully requests that the United States District Court for the Northern District of Texas, Dallas Division, accept and file this Notice of Removal, assume jurisdiction of this action, and issue all such further orders and processes as may be necessary.

Respectfully submitted:

COZEN O'CONNOR

By: /s/ Alicia G. Curran

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ATTORNEYS FOR
CHUBB CUSTOM INSURANCE COMPANY

CERTIFICATE OF SERVICE

This certifies that, on November 8th, 2017, a true copy of the foregoing was served on the following counsel of record pursuant to the Federal Rules of Civil Procedure as follows:

VIA US MAIL

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